

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MICHAEL McGHEE, :
Plaintiff : Civil Action 2:07-cv-908
v. : Judge Holschuh
LAW FIRM OF UCHE MGBAROHO, : Magistrate Judge Abel
et al., :
Defendants.

ORDER

On April 1, 2009, this court granted a default judgment against one of the two defendants, the Law Firm of Uche Mgbaroho. (Doc. 36.) However, the other defendant, Uche Mgbaroho himself, has never been served in this action. On April 2, 2009, Plaintiff was ordered to show cause within eleven days why this case should not be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) for failure to obtain service of process upon defendant Uche Mgbaroho. (Doc. 37.)

Plaintiff has made no response to the court's show cause order, and the time to do so has now elapsed. Therefore, accordingly, it is hereby **ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 4(m) for failure to obtain service upon the only remaining defendant. The Clerk of Court is **DIRECTED** to close this case.

Date: May 8, 2009

/s/ John D. Holschuh
United States District Judge